

**Remarks/Arguments:**

With the present response, claims 1-3 and 6-52 are pending. The Examiner is thanked for the courtesy of the telephone interview conducted with the undersigned on April 3, 2007. During the interview, the rejection of claims 1 and 34 was clarified. The Examiner is thanked for the suggestion of limiting the seam to a longitudinal configuration to define over the prior art rejection. Applicant has amended claims 1 and 34 according to the Examiner's suggestion. Claim 10 has also been amended to limit the seam to a longitudinal configuration.

**Claim Rejections Under 35 U.S.C. § 102**

Claims 1-3, 6-11, 13-27 and 34-36 stand rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,231,581 to Shank et al. ("Shank"). Amended claim 1 recites, *inter alia*, a stent comprising a first section, a second section, and at least one securement member. The securement member includes a *longitudinal* seam at least partially separating at least one region of the first section and at least one region of the second section from each other. At least a portion of the at least one region of the first section and at least a portion of the at least one region of the second section comprise at least one weld positioned along the seam.

Amended claim 10 recites, *inter alia*, a stent comprising a first section, a second section, and at least one securement member disposed about at least one region of the first section and at least one region of the second section and including a *longitudinal* seam at least partially separating the at least one region of the first section and the at least one region of the second section from each other.

Amended claim 34 recites, *inter alia*, a stent comprising a first section, a second section, and a securement member comprising a *longitudinal* seam at least partially separating the first section and the second section from each other. A weld is positioned along the seam.

In order to anticipate a claim under 35 U.S.C. §102, the reference must teach every element of the claim. M.P.E.P. §2131. Furthermore, "the identical invention must be shown in as complete detail as is contained in the . . . claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236 (Fed. Cir. 1989) and M.P.E.P. §2131.

Shank fails to disclose or suggest a *longitudinal seam* in the securement member, with the longitudinal seam at least partially separating the first section and the second section from each other.

Because Shank fails to disclose or suggest the claim limitation in each of amended claims 1, 10, and 34 of a "longitudinal seam", Applicants respectfully submit that the rejection of claims 1, 10, and 34 is improper. Reconsideration and allowance of claims 1, 10, and 34 is respectfully requested.

Claims 2, 3, 6-9, and 13-27 all ultimately depend from claim 1; claim 11 depends from claim 10; and claims 35 and 36 ultimately depend from claim 34. Applicants respectfully submit that claims 2, 3, 6-9, 11, 13-27, 35, and 36 are all patentable over Shank for at least the same reasons as set forth above with respect to claims 1, 10, and 34. Reconsideration and allowance of these claims is respectfully requested.

### **Claim Rejections Under 35 U.S.C. § 103**

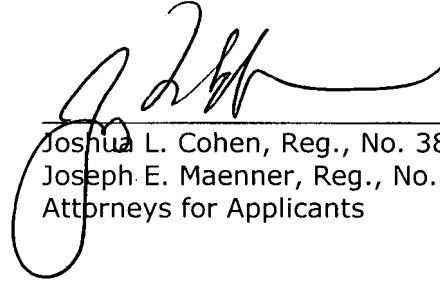
Claim 12 stands rejected under 35 U.S.C. § 103(a) as unpatentable over Shank. Claim 12 depends from claim 1 and Applicants respectfully submit that claim 12 is patentable over Shank for at least the reasons set forth above with respect to claim 1. Reconsideration and allowance of claim 12 is respectfully requested.

Claims 28-33 and 37-52 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Shank in view of U.S. Patent Application Publication No. 2003/0139798 to Brown et al. ("Brown"). Brown is cited for incorporating a therapeutic polymer coating onto the stent of Shank. Applicants respectfully submit that Brown fails to cure the deficiencies of Shank recited above. Claims 28-33 ultimately depend from claim 1 and claims 37-52 ultimately depend from claim 34. Applicants respectfully submit that these claims are patentable over the proposed combination of Shank and Brown for at least the same reasons as set forth above with respect to claims 1 and 34, respectively. Reconsideration and allowance of claims 28-33 and 37-52 is respectfully requested.

## Conclusion

In light of the above amendments and arguments, applicants respectfully submit that claims 1-3 and 6-52 are in condition for allowance. Prompt reconsideration and notification of same is respectfully requested.

Respectfully submitted,



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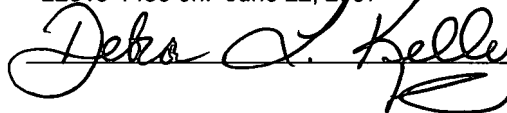
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Dated: June 22, 2007

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